



Atty. Dkt. No. 030307-0197

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Borge KRINGELUM et al.

Title: METHOD FOR SUPPLY OF  
STARTER CULTURES  
HAVING A CONSISTENT  
QUALITY

Appl. No.: 09/813,292

Appl. Filing Date: 03/21/2001

Examiner: Ruth A. Davis

Art Unit: 1651

**RECEIVED**

JAN 22 2003

TECH CENTER 1600/2900

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Commissioner for Patents  
Box RCE  
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on December 19, 2002.

Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

Other \_\_\_\_.

b. Enclosed are:

01/21/2003 EAREGAY1 00000007 09813292

01 FC:1801

002.955467.1

750.00 02

- A copy an Amendment/Reply.
- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO-1449 with copies of \_\_\_ listed reference(s).
- Other .

RECEIVED

JAN 22 2003

TECH CENTER 1600/2900

## Miscellaneous:

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

The filing fee is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
			\$750.00	\$750.00
RCE Fee 1.17(e)				
Total Claims: <u>26</u>	<u>26</u>	<u>0</u>	<u>\$18.00</u>	<u>\$0.00</u>
Independents: <u>1</u>	<u>3</u>	<u>0</u>	<u>\$84.00</u>	<u>\$0.00</u>
First presentation of any Multiple Dependent Claims:			<u>\$280.00</u>	<u>\$0.00</u>
			CLAIMS FEE TOTAL:	<u>\$750.00</u>

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
[ X ]	Extension for response filed within the third month:	\$930.00	\$930.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
		EXTENSION FEE TOTAL:	\$930.00
		PREVIOUS EXTENSION PAID:	\$400.00
		NEW EXTENSION FEE TOTAL:	\$530.00
		CLAIMS AND EXTENSION FEE TOTAL:	\$1280.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
		TOTAL FEE:	\$1280.00

[ X ] Checks in the amount of \$750.00 and \$530.00 to cover the filing fee and extension of time is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By Stephen A. Bent

Date January 17, 2003

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29768



Atty. Dkt. No. 030307-0197

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Borge KRINGELUM et al.

Title: METHOD FOR SUPPLY OF  
STARTER CULTURES HAVING A  
CONSISTENT QUALITY

Appl. No.: 09/813,292

Filing Date: 03/21/2001

Examiner: Ruth A. Davis

Art Unit: 1651

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
EV055899084US (Express Mail Label Number)	December 19, 2002 (Date of Deposit)
Jeanne M. Johnson (Printed Name)	
<i>Jeanne M. Johnson</i> (Signature)	

Commissioner for Patents  
Box AF  
Washington, D.C. 20231

**RECEIVED**

JAN 22 2003

TECH CENTER 1600/2900

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.

Small Entity statement is enclosed.

The fee required for additional claims is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: 26	- 26	= 0	x \$18.00 =	\$0.00
Independents: 1	- 3	= 0	x \$84.00 =	\$0.00
First presentation of any Multiple Dependent Claims:		+ \$280.00 =		\$0.00
		CLAIMS FEE TOTAL:	=	\$0.00

Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$400.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:		\$400.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$400.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
	TOTAL FEE:		\$400.00

Please charge Deposit Account No. 06-1447 in the amount of -0-. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$400.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 19, 2002

FOLEY & LARDNER  
777 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-5367  
Telephone: (414) 297-5664  
Facsimile: (414) 297-4900

By Jason E. Pauls

Jason E. Pauls  
Registration No. 45,651, for  
Stephen A. Bent  
Registration No. 29,768  
Attorney for Applicant